

October 27, 2004

Re: Olympic Steel  
Case 33-RD-833

KYLE OTTE  
2410 W 58TH ST  
DAVENPORT IA 52806

Dear Mr. Otte:

The above-captioned case petitioning for an investigation and determination of representatives under Section 9(c) of the National Labor Relations Act, as amended, has been carefully investigated and considered.

*Decision to Dismiss:* Based on that investigation, I have concluded that further proceedings are not warranted, and I am dismissing your petition for the following reasons:

There is no currently certified or recognized bargaining representative to decertify. Furthermore, on February 3, 2004, Teamsters Local 371 filed a petition in Case 33-RC-4832, seeking to represent the unit of employees listed in your petition. On August 26, 2004, an election was conducted which resulted in determinative challenges. Those challenges are the subject of a hearing, which is scheduled for October 21, 2004. Following the hearing, a determination will be made regarding whether the Union should be certified as the bargaining representative. In the event the Union is certified, please be advised that the Board's 1-Year Certification Rule requires dismissal of any petition filed within 1 year after certification.

*Your Right to Request for Review:* Pursuant to the National Labor Relations Board Rules and Regulations, Series 8, as amended, you may obtain a review of this action by filing a request therefor with the National Labor Relations Board, addressed to the Executive Secretary, National Labor Relations Board, Washington, D. C. 20570. If you wish to file an appeal please note the following:

*Request for Review Due Date:* A copy of such request for review must be served on me and each of the other parties to the proceeding. This request for review must contain a complete statement setting forth the facts and reasons upon which it is based. The request for review (eight copies) must be received by the Executive Secretary of the Board in Washington, D. C., by the close of business at 5:00 p.m. EST(EDT) on November 2, 2004. The request for review MAY NOT be filed by facsimile transmission or through the Internet.

*Extension of Time to File Request for Review:* Upon good cause shown, however, the Board may grant special permission for a longer period within which to file. Requests for extension of time, must be in writing, MAY be filed by facsimile transmission or through the Internet, and must be received no later than the time set above for the filing of the review. The fax number is (202) 273-4283. Special instructions for requesting an extension of time over the Internet are set forth in the attached Access Code Certificate. If you mail the review, it should be postmarked no later than one day before the due date set forth above. Unless filed through the Internet, the request for extension of time should be submitted to the Executive Secretary of the

Board in Washington, D.C., and a copy of any such request for extension of time should be submitted to me, and to each of the other parties to this proceeding.

*Request for Review Contents:* The request for review and any request for extension of time for filing must include a statement that a copy has been served on me and on each of the other parties to this proceeding, and the copy must be served in the same or faster manner as that utilized in filing the request with the Board.

*Address for Request for Review:* The request for review should be sent to the Executive Secretary of the National Labor Relations Board, Office of Representation Appeals, Franklin Court, 1099 14<sup>th</sup> Street, N.W., Washington, D.C. 20570. You should send a copy of the request for review to me.

*Notice to Other Parties of Request for Review:* When filing with the Board is accomplished by personal service, however, the other parties shall be promptly notified of such action by telephone, followed by service of a copy by mail or telegraph.

Very truly yours,

Ralph R. Tremain, RD  
Region 14

By: /s/ Will J. Vance  
Will J. Vance, Officer-In-Charge  
Subregion 33

cc:

EXECUTIVE SECRETARY, NATIONAL LABOR RELATIONS BOARD,  
OFFICE OF REPRESENTATION APPEALS, FRANKLIN COURT,  
1099 - 14TH ST. N.W., WASHINGTON, DC 20570

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